IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 3782 of 1990

with

SPECIAL CIVIL APPLICATION No 5178 of 1993

For Approval and Signature:

Hon'ble MR.JUSTICE AKSHAY H.MEHTA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

BABULAL G SHAH

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 3782 of 1990
   MR MC SHAH for Petitioner No. 1
   GOVERNMENT PLEADER for Respondent No. 1
2. Special Civil Application No. 5178 of 1993
   MR BR PARIKH for Petitioner No. 1
   GOVERNMENT PLEADER for Respondent No. 1

CORAM : MR.JUSTICE AKSHAY H.MEHTA

Date of decision: 28/08/2002

ORAL JUDGEMENT

1. Mr.B.R. Parikh learned counsel for the petitioner in Special Civil Application no.5178/1993 states that in both these petitions, the petitioner is common and he has expired on 4th March, 1998. In support of his statement, he also produces on record the death certificate of the late petitioner. The same is ordered to be taken on record. Mr.Parikh further states that despite several letters written to them they have not turned up. These letters were written after the death certificate was handed over to Mr.Parikh. From the statement of Mr.Parikh, it appears that heirs of the deceased petitioner are not interested in prosecuting these matters any further. Since the petitioner has expired on 4th March, 1998 and uptill now no steps have been taken to bring the heirs of the deceased petitioner on record, both these petitions stands abated. Rule is discharged with no order as to costs.

[AKSHAY H. MEHTA, J.]

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